

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

USA	§
	§
v.	§ CASE NUMBER: 4:11cr722
	§ District Judge: Lee H Rosenthal
	§ Court Reporter(s): M Malone, B SLavin, J Sanchez
Abraham M Fisch	§

NOTICE OF THE FILING OF AN APPEAL

In connection with this appeal, instrument # 120, filed by Abraham M Fisch, a copy of the notice of appeal, the order being appealed and the docket sheet are attached.

In regard to this appeal:

- The Court of Appeal \$505.00 filing and docketing fees have been paid .
- DKT-13 transcript ordering instructions are attached.
- The Clerk of Court will submit to the Fifth Circuit Court of Appeals a Certificate of Non-Compliance if the appellant fails to return the transcript order form.

David Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
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TRANSCRIPT ORDER INSTRUCTIONS TO APPELLANT

Pursuant to FRAP 10(a)(1), a transcript order form must be filed within 14 days of the filing of the notice of appeal.

Please review the instructions on the attached DKT 13 Transcript Order Form. Prepare a separate DKT 13 for each reporter from whom transcripts are ordered. All transcripts from tape recorded proceedings may be ordered on one form. Specify exact dates of proceedings to be transcribed on the appropriate reporter or tape order.

If transcript is unnecessary or already on file in the Clerk's office, prepare a DKT 13 and mark the appropriate box to indicate this information.

The appellant must contact the court reporter within 14 days of the filing of the notice of appeal to arrange for the preparation of transcripts.

Court Reporting Services
P.O. Box 61010
Houston, TX 77208

Electronic Court Reporting 713-250-5404
Court Reporters 713-250-5499

US District Court
600 E Harrison Street
Brownsville, TX 78520-7114
956-548-2500

US District Court
1300 Victoria Street, Suite 1131
Laredo, TX 78040
956-723-3542

US District Court
1133 North Shoreline Blvd, Room 208
Corpus Christi, TX 78401
361-888-3142

US District Court
1701 W. Business Hwy 83, Suite 1011
McAllen, TX 78501
956-618-8065

US District Court
PO Box 2300
Galveston, TX 77553
409-766-3530

US District Court
PO Box 1638
Victoria, TX 78476
361-788-5000

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

USA

§

§

v.

§ CASE NUMBER: 4:11cr722

§ District Judge: Lee H Rosenthal

§ Court Reporter(s): M Malone, B SLavin, J
Sanchez

Abraham M Fisch

§

INSTRUCTIONS TO COURT REPORTER

This is an electronic version of the original 8-page, multipart carbon-less form. The court reporter is responsible for ensuring that the correct number of copies are made to meet the distribution requirements.

To assure the Court of Appeals that the ordering party has fulfilled his or her obligations under FRAP 10(b), for ordering and making adequate financial arrangements with the court reporter, you are requested to complete Part II of Copy 3 and forward to the Court of Appeals within seven (7) days after receipt.

It is the appellant's responsibility to contact you and make financial arrangements before filling out the form. However, if financial arrangements have not been made within ten (10) days after receipt of transcript order, complete Part II of Copy 3 and forward to the Court of Appeals. If financial negotiations with the ordering party are still in progress when the 10 days expire, and the chances for completion within a short period of time appears to be good, contact a Deputy Clerk for additional time to complete this form.

(504) 310-7700

If financial arrangements are made after you send the acknowledgement form to the Court of Appeals, immediately notify the Court in writing of the fact, furnishing the estimated delivery date.

THE JUDICIAL COUNCIL'S 60-DAY DISCOUNT DATE BEGINS TO RUN FROM THE DATE SATISFACTORY FINANCIAL ARRANGEMENTS HAVE BEEN MADE.

WRITTEN REQUEST FOR EXTENSION OF TIME WITH EXPLANATION OF CIRCUMSTANCES AND A REQUEST FOR WAIVER OF DISCOUNT MUST BE ADDRESSED TO THE CLERK OF THE CIRCUIT COURT FOR ANY TRANSCRIPTS WHICH CANNOT BE COMPLETED WITHIN 60 DAYS.

TO INSURE ALL EIGHT COPIES ARE LEGIBLE, THIS FORM SHOULD BE TYPED, IF IT IS IMPOSSIBLE TO TYPE. IT IS IMPERATIVE TO PRESS FIRMLY AND CHECK ALL EIGHT COPIES AFTER COMPLETION.

INSTRUCTIONS FOR ANYONE FILING A NOTICE OF APPEAL

YOU HAVE TEN (10) DAYS AFTER FILING YOUR NOTICE OF APPEAL TO COMPLETE THIS FORM BY DOING THE FOLLOWING:

1. Complete Part 1. (Whether or not transcript is ordered)
2. Contact each court reporter involved in reporting the proceedings to make arrangements for payment. (A separate transcript order form must be completed for each court reporter)
3. Send Copies 1,2,3, and 4 to each court reporter.
4. Send copy 5 to:

U.S. Court of Appeals for the Fifth Circuit
600 South Maestri Place
New Orleans, LA 70130
5. Send Copy 6 to District Court.
6. Send Copy 7 to appellee(s). (Make additional photocopies if necessary)
7. Retain Copy 8 for your files.

SHOULD SATISFACTORY ARRANGEMENTS FOR TRANSCRIPT PRODUCTION, INCLUDING NECESSARY FINANCIAL ARRANGEMENTS, NOT BE MADE WITHIN TEN (10) DAYS AFTER FILING YOUR NOTICE OF APPEAL, YOUR APPEAL CAN BE DISMISSED.

If you have further questions, contact the Clerk's Office, U.S. Court of Appeals for the Fifth Circuit:

(504) 310-7700

DISTRIBUTION:

Copy 1	Court Reporter's Copy
Copy 2	Court Reporter's Copy for Completion of Part III and Transmittal to the U.S. Court of Appeals (5th Circuit), 600 South Maestri Place, New Orleans, LA 70130
Copy 3	Court Reporter's Copy for Completion of Part II and Transmittal to the U.S. Court of Appeals (5th Circuit), 600 South Maestri Place, New Orleans, LA 70130
Copy 4	Court Reporter's Copy to be returned to appellant upon completion of Part II
Copy 5	Appellant's Copy to be transmitted to the U.S. Court of Appeals (5th Circuit), South Maestri Place, New Orleans, LA 70130, upon completion of Part I
Copy 6	Appellant's Copy to be sent to the District Court upon completion of Part I
Copy 7	Appellant's Copy to be sent to appellee(s) upon completion of Part I (Make additional photocopies if necessary)
Copy 8	Appellant's Copy to be retained upon completion of Part I

TRANSCRIPT ORDER

District Court _____	District Court Docket Number _____
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Short Case Title _____	Court Reporter _____
Date Notice of Appeal Filed by Clerk of District Court _____	Court of Appeals # _____

(If Available)

PART I. (To be completed by party ordering transcript. Do not complete this form unless financial arrangements have been made.)

A. Complete one of the following:

- ☐ No hearings
- ☐ Transcript is unnecessary for appeal purposes
- ☐ Transcript is already on file in Clerk's office
- ☐ This is to order a transcript of the following proceedings: (check appropriate box)
- Voir dire ☐; Opening statement of plaintiff ☐; defendant ☐;
- Closing argument of plaintiff ☐; defendant ☐; Opinion of court ☐;
- Jury instructions ☐; Sentencing ☐; Bail hearing ☐;

HEARING DATE(S) _____	PROCEEDING _____	JUDGE/MAGISTRATE _____
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FAILURE TO SPECIFY IN ADEQUATE DETAIL THOSE PROCEEDINGS TO BE TRANSCRIBED, OR FAILURE TO MAKE PROMPT SATISFACTORY FINANCIAL ARRANGEMENTS FOR TRANSCRIPT, ARE GROUNDS FOR DISMISSAL OF THE APPEAL.

B. This is to certify that satisfactory financial arrangements have been completed with the court reporter for payment of the cost of the transcript. The method of payment will be:

- ☐ Private funds; ☐ Criminal Justice Act Funds (Attach copy of CJA Form 24 to court reporter's copy);
- ☐ Other IFP Funds; ☐ Advance Payment waived by reporter; ☐ U.S. Government Funds;
- ☐ Other _____

Signature _____	Date Transcript Ordered _____
Print Name _____	Counsel for _____
Address _____	Phone Number _____

ALLOWANCE BY THE COURT FOR LEAVE TO PROCEED IN FORMA PAUPERIS IN A CIVIL APPEAL DOES NOT ENTITLE THE LITIGANT TO HAVE TRANSCRIPT AT GOVERNMENT EXPENSE.

PART II. COURT REPORTER ACKNOWLEDGEMENT (To be completed by the Court Reporter and forwarded to the Court of Appeals within 7 days after receipt. Read instruction on reverse side of copy 4 before completing.)

Date transcript order received	If arrangements are not yet made, date contact made with ordering party re: financial arrangements	Estimated completion date *	Estimated number of pages

- ☐ Satisfactory Arrangements for payment were made on _____
- ☐ Arrangements for payment have not been made. Reason: ☐ Deposit not received ☐ Unable to contact ordering party ☐ Other (Specify) _____

Date _____	Signature of Court Reporter _____	Telephone _____
Address of Court Reporter: _____		

*** Do not include an estimated completion date unless satisfactory financial arrangements have been made or waived.**

PART III. NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN THE DISTRICT COURT (To completed by court reporter on date of filing transcript in District Court and notification must be forwarded to Court of Appeals on the same date.)

This is to certify that the transcript has been completed and filed with the District Court today.

Actual Number of Pages _____	Actual Number of Volumes _____
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Date _____	Signature of Court Reporter _____
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO.: H-11-722
	§	
ABRAHAM M. FISCH	§	

NOTICE OF INTERLOCUTORY APPEAL

This Notice of Interlocutory Appeal to the Fifth Circuit Court of Appeals is filed by Abraham M. Fisch complaining of the Memorandum Opinion and Order(s) (doc. #105, #110 and #119) entered on October 24, 2012, January 28, 2014, and March 18, 2014 denying Defendant's request for a traceability hearing regarding a pretrial restraint placed on his property. The Fifth Circuit's jurisdiction is invoked pursuant to 28 U.S.C. 1292(a)(1) and/or pursuant to the Collateral Order doctrine.¹

Respectfully submitted this the 26th day of March, 2014.

LAW OFFICE OF REGINA BACON CRISWELL
Carriage Place
7803 Bent Briar
San Antonio, Texas 78250
(210) 775-1155 (ofc)
(210) 251-2051 (fax)

BY: S/ Regina Bacon Criswell
REGINA BACON CRISWELL
State Bar No. 01496580
Attorney for Defendant

CERTIFICATE OF SERVICE

This is to certify that on the 26th day of March, 2014, I electronically filed the foregoing with the clerk of the court using the CM/ECF system which will send notification of such filing to counsel of record:

Robert Johnson, AUSA

BY: S/ Regina Bacon Criswell

¹ See Roberts v. U.S., 141 F.3d 1468, 1471 (11th Cir. 1998); U.S. v. Geld, 826 F.2d 1175, 1176 (2nd Cir. 1987); U.S. v. Jones, 106 F.3d 641, 644 (10th Cir. 1998).

APPEAL,APPEAL_NAT,COMPLEX,PPSURHO

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CRIMINAL DOCKET FOR CASE #: 4:11-cr-00722-1
Internal Use Only**

Case title: USA v. Fisch et al

Date Filed: 10/19/2011

Assigned to: Judge Lee H Rosenthal

Defendant (1)

Abraham Moses Fisch
On Bond
also known as
Anthony Fisch

represented by **Abraham Moses Fisch**
713-222-8777
Email: dabronxjew@yahoo.com
PRO SE

Abraham Moses Fisch
District Court Information
1305 Prairie
Ste 300
Houston, TX 77002
713-222-8777
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dan Lamar Cogdell
Cogdell Law Firm, PLLC
402 Main Street
4th FL
Houston, TX 77002
713-426-2244
Fax: 713-426-2255
Email: dan@cogdell-law.com
TERMINATED: 05/29/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

CONSPIRACY
(1)

Conspiracy
(1s)

OBSTRUCTION OF JUSTICE
(2-5)

Disposition

Obstruction of Justice
(2s-6s)

MONEY LAUNDERING
CONSPIRACY
(6)

MONEY LAUNDERING
(7-15)

Money Laundering
(7s-16s)

FAILURE TO FILE TAX RETURN
(16-20)

Failure to Timely File Tax Return
(17s-21s)

Corrupt Endeavor to Impede the Due
Administrator of the Internal Revenue
Code
(22s)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Robert Searls Johnson**
Office of the U S Attorney
1000 Louisiana
Ste 2300
Houston, TX 77002
713-567-9706
Fax: 713-718-3307
Email: robert.s.johnson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Financial Litigation

U S Attorney's Office
 Southern District of Texas
 P O Box 61129
 Houston, TX 77208
 713-567-9000
 Fax: 713-718-3391 fax
 Email: flu.usatxs-@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Retained

US Marshal - H

515 Rusk
 10th Floor
 Houston, TX 77002
 713-718-4800
 Fax: 713-718-4848
ATTORNEY TO BE NOTICED
Designation: Retained



US Pretrial Svcs - H






515 Rusk
 6th Floor
 Houston, TX 77002
 713-250-5218
 Fax: 713-250-5666
ATTORNEY TO BE NOTICED
Designation: Retained




US Probation - H

515 Rusk
 2nd Floor
 Houston, TX 77002
 713-250-5266
 Fax: INS_prob1
ATTORNEY TO BE NOTICED
Designation: Retained


Date Filed	#	Docket Text
10/19/2011	<u>1</u>	INDICTMENT (The original indictment with the signature of the grand jury foreperson is on file under seal with the clerk) as to Abraham Moses Fisch (1) count(s) 1, 2-5, 6, 7-15, 16-20, Lloyd Glen Williams (2) count (s) 1, 2-5, 6, 7-15, 21, Monica Bertman (3) count(s) 1, 2, filed. (kgilyard,) (Entered: 10/31/2011)
10/19/2011	<u>2</u>	US Attys Criminal Docket Sheet as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman, filed.(kgilyard,) (Entered: 10/31/2011)
10/19/2011	<u>3</u>	MOTION to Seal Indictment by USA as to Abraham Moses Fisch, Lloyd

		Glen Williams, Monica Bertman, filed. (kgilyard,) (Entered: 10/31/2011)
10/19/2011	<u>4</u>	ORDER to Seal Indictment as to Abraham Moses Fisch (1), Lloyd Glen Williams (2), Monica Bertman (3).(Signed by Magistrate Judge Mary Milloy.) Parties notified.(kgilyard,) (Entered: 10/31/2011)
10/19/2011	<u>7</u>	ORDER FOR ISSUANCE OF Bench WARRANT as to Abraham Moses Fisch.(Signed by Magistrate Judge Mary Milloy) Parties notified. (kgilyard,) (Entered: 10/31/2011)
10/19/2011		(Court only) Arrest Warrant Issued in case as to Abraham Moses Fisch (Issued by Magistrate Judge Mary Milloy), filed. (kgilyard,) (Entered: 10/31/2011)
10/28/2011	<u>8</u>	Minute Entry for proceedings held before Magistrate Judge Frances H Stacy: INITIAL APPEARANCE as to Abraham Moses Fisch, Monica Bertman, (Deft informed of rights) held on 10/28/2011. Bond Set as to Defts 1 and 3. Defendant 3 requests appointed counsel. Financial Affidavit executed as to Defendant 3. Order appointing Federal Public Defender as to Deft 3. Case Unsealed. Arraignment set for 11/3/2011 at 02:00 PM in Courtroom 704 before Magistrate Judge Frances H Stacy Appearances:Michael Herman. Robert Searls Johnson.(ERO:Yes) (Interpreter:No) Deft Continued on Bond, filed.(kgilyard,). (Entered: 10/31/2011)
10/31/2011	 <u>15</u>	(Court only) Passport Surrendered as to Abraham Moses Fisch. Passport in the custody of the Pretrial Services Department. Date Passport Surrendered 10/31/11. Surrendered in Houston Division, filed. (aallen,) (Entered: 10/31/2011)
11/03/2011	<u>23</u>	NOTICE OF ATTORNEY APPEARANCE: Dan Lamar Cogdell appearing for Abraham Moses Fisch, filed.(Cogdell, Dan) (Entered: 11/03/2011)
11/03/2011	<u>25</u>	Pretrial Services Report (Sealed) as to Abraham Moses Fisch, filed. (aallen,) (Entered: 11/03/2011)
11/03/2011	<u>30</u>	ARRAIGNMENT Minute Entry for proceedings held before Magistrate Judge Frances H Stacy: ARRAIGNMENT as to Abraham Moses Fisch (1) Count 1,2-5,6,7-15,16-20 and Monica Bertman (3) Count 1,2 held on 11/3/2011. Not Guilty on All Counts. Scheduling Order issued w/cc to parties. Appearances:K. Fye-USPT. Robert Searls Johnson, Kent A Schaffer.(ERO:Yes) (Interpreter:No) Deft continued on Bond, filed. (bdaniel,) (Entered: 11/04/2011)
11/03/2011	<u>31</u>	SCHEDULING ORDER as to Abraham Moses Fisch, Monica Bertman. ETT:2-4 Weeks: Dispositive Motion Filing due by 12/12/2011 Responses due by 12/27/2011 Pretrial Conference set for 1/3/2012 at 08:45 AM in Courtroom 11B before Judge Lee H Rosenthal Jury Selection set for 1/9/2012 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal.(Signed by Magistrate Judge Frances H Stacy) Parties notified. (bdaniel,) (Entered: 11/04/2011)


11/03/2011	 36	Unsecured Appearance Bond Entered as to Abraham Moses Fisch in amount of \$ \$100,000,, filed. (ckrus,) (Additional attachment(s) added on 11/8/2011: # 1 Unredacted) (ckrus,). (Entered: 11/08/2011)
11/04/2011	29	Unopposed MOTION to Modify Conditions of Release by Abraham Moses Fisch, filed. (Attachments: # 1 Proposed Order)(Cogdell, Dan) (Entered: 11/04/2011)
11/04/2011	 33	(Court only) Arrest Warrant issued 10/19/2011 Returned Executed on 10/28/2011 in case as to Abraham Moses Fisch, filed. (kgilyard,) (Entered: 11/07/2011)
11/04/2011	35	ORDER granting 29 Motion to Modify Conditions of Release as to Abraham Moses Fisch (1).(Signed by Magistrate Judge Frances H Stacy.) Parties notified.(lfilmore,) (Entered: 11/07/2011)
11/04/2011	 37	ORDER Setting Conditions of Release.(Signed by Magistrate Judge Frances H Stacy) Parties notified. (ckrus,) (Additional attachment(s) added on 11/8/2011: # 1 Unredacted) (ckrus,). (Entered: 11/08/2011)
11/10/2011	38	Unopposed MOTION to Certify Case as Complex by USA as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman, filed. (Johnson, Robert) (Entered: 11/10/2011)
11/23/2011	39	ORDER TO CONTINUE entered in the Interest of Justice as to Abraham Moses Fisch, Monica Bertman; GRANTING 38 Unopposed MOTION to Certify Case as Complex. Docket control amended as follows: Dispositive Motion Filing due by 4/30/2012, Non-Dispositive Motion Filing due by 4/30/2012, Pretrial Conference reset for 5/21/2012 at 08:45 AM and Jury Trial reset for 5/29/2012 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal. (Signed by Judge Lee H Rosenthal) Parties notified. (leddins,) (Entered: 11/23/2011)
11/23/2011		(Court only) ***Set/Clear Flags as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman (leddins,) (Entered: 11/23/2011)
01/13/2012	41	Unopposed MOTION to Travel by Abraham Moses Fisch, filed. (Attachments: # 1 Proposed Order)(Cogdell, Dan) (Entered: 01/13/2012)
01/13/2012	42	ORDER granting 41 Motion to Travel to Chappaqua, NY as to Abraham Moses Fisch (1).(Signed by Judge Lee H Rosenthal.) Parties notified. (bthomas,) (Entered: 01/13/2012)
01/20/2012	 43	AO 435 TRANSCRIPT ORDER FORM by Robert S. Johnson. This is to order a transcript of Initial Appearance held on 10/28/11 and Arraignment on 11/3/11 before Magistrate Judge Frances H Stacy, filed. (rsmith) (Additional attachment(s) added on 1/23/2012: # 1 U.S. Attorney's Office Approved Advice of Obligation for Expedited Transcript) (dclark,). (Entered: 01/20/2012)
01/24/2012	44	Agreed MOTION to Substitute Attorney Paul H Doyle by on behalf of Monica Bertman as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman, filed. (Attachments: # 1 Proposed Order)(Doyle, Paul) (Entered: 01/24/2012)

01/25/2012	46	Agreed MOTION to Modify Conditions of Release by Monica Bertman as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman, filed. (Attachments: # 1 Proposed Order)(Doyle, Paul) (Entered: 01/25/2012)
01/30/2012	 47	TRANSCRIPT as to Abraham Moses Fisch re: INITIAL APPEARANCE held on 10/28/11 before Magistrate Judge Frances H Stacy.Court Reporter/Transcriber EXCEPTIONAL REPORTING. Release of Transcript Restriction set for 4/30/2012., filed. (thudson,) (Entered: 01/30/2012)
01/30/2012	 48	TRANSCRIPT as to Abraham Moses Fisch re: ARRAIGNMENT held on 11/3/11 before Magistrate Judge Frances H Stacy.Court Reporter/Transcriber EXCEPTIONAL REPORTING. Release of Transcript Restriction set for 4/30/2012., filed. (thudson,) (Entered: 01/30/2012)
01/31/2012	49	Notice of Filing of Official Transcript as to 48 Transcript, 47 Transcript. Party notified, filed. (dclark,) (Entered: 01/31/2012)
02/06/2012	51	Unopposed MOTION <i>to Amend Conditions of Release</i> by Abraham Moses Fisch, filed. (Attachments: # 1 Proposed Order)(Cogdell, Dan) (Entered: 02/06/2012)
02/06/2012	52	ORDER on 51 Unopposed Modification to Amend Conditions of Release as to Abraham Moses Fisch.(Signed by Judge Lee H Rosenthal) Parties notified. (arrivera,) (Entered: 02/07/2012)
03/06/2012	53	Joint MOTION to Continue trial by USA as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman, filed. (Johnson, Robert) (Entered: 03/06/2012)
03/07/2012	54	ORDER granting 53 Motion to Continue as to Abraham Moses Fisch (1), Monica Bertman (3) Motion Filing due by 10/22/2012. Responses due by 11/5/2012 Jury Trial set for 11/19/2012 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal Pretrial Conference set for 11/12/2012 at 08:45 AM in Courtroom 11B before Judge Lee H Rosenthal.(Signed by Judge Lee H Rosenthal.) Parties notified. (sbyrum,) (Entered: 03/07/2012)
03/09/2012	55	MOTION for Disclosure <i>and Protective Order</i> by USA as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman, filed. (Johnson, Robert) (Entered: 03/09/2012)
03/12/2012	57	PROTECTIVE ORDER granting 55 Motion for Disclosure as to Abraham Moses Fisch (1), Lloyd Glen Williams (2), Monica Bertman (3).(Signed by Judge Lee H Rosenthal.) Parties notified.(bthomas,) (Entered: 03/14/2012)
03/13/2012		(Court only) ***Motions terminated as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman re: 53 Joint MOTION to Continue trial filed by USA, 46 Agreed MOTION to Modify Conditions of Release filed by Monica Bertman, 44 Agreed MOTION to Substitute Attorney

		Paul H Doyle filed by Monica Bertman, 38 Unopposed MOTION to Certify Case as Complex filed by USA. (leddins,) (Entered: 03/13/2012)
10/11/2012	59	Sealed Event, filed. (Entered: 10/11/2012)
10/15/2012	60	ORDER TO CONTINUE entered Interest of Justice as to Abraham Moses Fisch, Monica Bertman; GRANTING 59 Sealed Event. Deadlines amended as follows: Dispositive Motion Filing due by 1/28/2013, Non-Dispositive Motion Filing due by 1/28/2013, Responses due by 2/11/2013, Pretrial Conference reset for 2/19/2013 at 09:00 AM and Jury Trial reset for 2/25/2013 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal. (Signed by Judge Lee H Rosenthal) Parties notified. (leddins,) (Entered: 10/15/2012)
01/25/2013	61	Sealed Event, filed. (Entered: 01/25/2013)
01/29/2013	62	NOTICE OF SETTING as to Abraham Moses Fisch, Monica Bertman. Motion Hearing set for 2/11/2013 at 01:30 PM in Courtroom 11B before Judge Lee H Rosenthal, filed. (leddins,) (Entered: 01/29/2013)
02/11/2013	63	Minute Entry for proceedings held before Judge Lee H Rosenthal: MOTION HEARING as to Abraham Moses Fisch and Monica Bertman held on 2/11/2013. The court granted the motion to continue, (Docket Entry No. 61), with the condition that no further continuances will be granted. An amended docket control order will be entered. Appearances: Robert Johnson-AUSA, Dan Cogdell for Deft. Fisch and Paul Doyle for Deft. Bertman.(Court Reporter: M. Malone) (Interpreter:No) Deft continued on Bond, filed.(leddins,) (Entered: 02/11/2013)
02/12/2013	64	ORDER TO CONTINUE entered in the Interest of Justice as to Abraham Moses Fisch, Monica Bertman; GRANTING 61 Sealed Event. Deadlines amended as follows: Dispositive Motion Filing due by 6/3/2013, Non-Dispositive Motion Filing due by 6/3/2013, Responses due by 6/17/2013, Pretrial Conference reset for 6/25/2013 at 08:30 AM;Final Pretrial Conference set for 8/5/2013 at 08:30 AM and Jury Trial reset for 8/6/2013 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal. (Signed by Judge Lee H Rosenthal) Parties notified. (leddins,) (Entered: 02/12/2013)
04/03/2013	66	SUPERSEDING INDICTMENT (The original indictment with the signature of the grand jury foreperson is on file under seal with the clerk) as to Abraham Moses Fisch (1) count(s) 1s, 2s-6s, 7s-16s, 17s-21s, 22s, Monica Bertman (3) count(s) 1s, 2s, filed. (amaly) (Entered: 04/04/2013)
04/03/2013	67	ORDER for Issuance of Notice as to Abraham Moses Fisch (Signed by Magistrate Judge Frances H Stacy) Parties notified. (amaly) (Entered: 04/04/2013)
04/03/2013	69	US Attys Criminal Docket Sheet as to Abraham Moses Fisch, Monica Bertman, filed.(amaly) (Entered: 04/04/2013)
04/04/2013	70	NOTICE OF SETTING as to Abraham Moses Fisch, Monica Bertman - regarding 66 Superseding Indictment,. Arraignment set for 4/12/2013 at

		10:00 AM in Courtroom 700 before Magistrate Judge Nancy K. Johnson, filed.(amaly) (Entered: 04/04/2013)
04/11/2013	71	WAIVER of Presence at Arraignment and Entry of Plea of Not Guilty, filed. (Attachments: # 1 Proposed Order Proposed Order)(Doyle, Paul) (Entered: 04/11/2013)
04/12/2013	72	ORDER granting 71 Waiver of Presence at Arraignment as to Monica Bertman (3).(Signed by Magistrate Judge Nancy K. Johnson.) Parties notified.(sclement,) Modified on 4/15/2013 (sbutler,). (Entered: 04/12/2013)
04/12/2013	73	ARRAIGNMENT Minute Entry for proceedings held before Magistrate Judge Nancy K. Johnson: ARRAIGNMENT as to Abraham Moses Fisch (1) Count 1,1s,2-5,2s-6s,6,7-15,7s-16s,16-20,17s-21s,22s held on 4/12/2013. Not Guilty on All Counts. Defendant appeared with counsel. Appearances: Robert Searls Johnson, Dan Lamar Cogdell.(ERO:Yes) Deft continued on Bond, filed.(bdaniel,) (Entered: 04/15/2013)
05/08/2013	74	Unopposed MOTION to Withdraw as Attorney by Dan Lamar Cogdell by Abraham Moses Fisch, filed. (Cogdell, Dan) (Entered: 05/08/2013)
05/16/2013	75	NOTICE OF SETTING as to Abraham Moses Fisch - regarding 74 Unopposed MOTION to Withdraw as Attorney by Dan Lamar Cogdell. Motion Hearing set for 5/28/2013 at 01:00 PM in Courtroom 11B before Judge Lee H Rosenthal, filed. (leddins,) (Entered: 05/16/2013)
05/24/2013		(Court only) ***Motions terminated as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman re: 71 WAIVER of Presence at Arraignment and Entry of Plea of Not Guilty. (leddins,) (Entered: 05/24/2013)
05/28/2013	76	Minute Entry for proceedings held before Judge Lee H Rosenthal: MOTION HEARING as to Abraham Moses Fisch, Monica Bertman held on 5/28/2013. Counsel for Defendant Fisch filed a motion to withdraw as counsel of record. The court granted the motion. An order extending the docket control deadlines by 120 days will be entered in the interest of justice. New counsel must file a notice of appearance by June 17, 2013. Order to follow. Appearances: Robb Johnson-AUSA, Dan Cogdell for Deft. Fisch and Paul Doyle for Deft. Bertman.(Court Reporter: B. Slavin) (Interpreter:No) Deft continued on Bond, filed.(leddins,) (Entered: 05/29/2013)
05/29/2013	77	ORDER TO CONTINUE entered in the Interest of Justice as to Abraham Moses Fisch, Monica Bertman : GRANTING 74 Unopposed MOTION to Withdraw as Attorney by Dan Lamar Cogdell and GRANTING Oral Motion to Continue. Deadlines amended as follows: Dispositive Motion Filing due by 12/6/2013, Non-Dispositive Motion Filing due by 12/6/2013, Responses due by 12/20/2013, Status Conference set for 8/2/2013 at 11:00 AM; Pretrial Conference reset for 10/24/2013 at 10:00 AM ; Final Pretrial Conference reset for 1/3/2014 at 09:00 AM and Jury Trial reset for 1/6/2014 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal. New counsel must file a notice of

		appearance by June 17, 2013. Signed by Judge Lee H Rosenthal) Parties notified. (leddins,) (Entered: 05/29/2013)
05/29/2013		Attorney update in case as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman. Attorney Dan Lamar Cogdell and Federal Public Defender - Houston terminated. (leddins,) (Entered: 05/29/2013)
06/17/2013	78	NOTICE OF SETTING as to Abraham Moses Fisch, Monica Bertman. Miscellaneous Hearing set for 6/20/2013 at 10:00 AM at Courtroom 11B before Judge Lee H Rosenthal, filed. (leddins,) (Entered: 06/17/2013)
06/20/2013	79	Minute Entry for proceedings held before Judge Lee H Rosenthal: MISCELLANEOUS HEARING as to Abraham Moses Fisch. (Monica Bertman not required to attend) held on 6/20/2013. The defendant requested the court's permission to temporarily defend himself pro se for the limited purpose of presenting oral argument in relation to case similarities to Kaley, out of the 11th Circuit and currently before the Supreme Court. Defendant and the AUSA will file their briefs on the issues by 6/25/13. A hearing will be held on June 27, at 4:00 p.m. The court will also address the defendant's counsel issues at that hearing. Appearances: Robb Johnson-AUSA and Abraham Fisch-Pro Se Deft. (Court Reporter: J. Sanchez) (Interpreter:No) Deft continued on Bond, filed.(leddins,) (Entered: 06/21/2013)
06/21/2013		Set/Reset Deadlines/Hearings as to Abraham Moses Fisch: Miscellaneous Hearing set for 6/27/2013 at 04:00 PM at Courtroom 11B before Judge Lee H Rosenthal. (leddins,) (Entered: 06/21/2013)
06/25/2013		Attorney update in case as to Abraham Moses Fisch. Attorney Abraham Moses Fisch for Abraham Moses Fisch added. (leddins,) (Entered: 06/25/2013)
06/25/2013	80	MEMORANDUM of LAW by Abraham Moses Fisch, filed.(leddins,) (Entered: 06/25/2013)
06/26/2013	81	<i>Memorandum of Law Regarding Pretrial Hearing</i> as to Abraham Moses Fisch, filed.(Johnson, Robert) (Entered: 06/26/2013)
06/27/2013	82	Minute Entry for proceedings held before Judge Lee H Rosenthal: MISCELLANEOUS HEARING as to Abraham Moses Fisch held on 6/27/2013. The court heard oral argument from the defendant and the government. The court set a schedule in place to address the threshold issues. Defendant will file his financial documentation by July 19, 2013. The Government will file a response by August 2, 2013. A hearing to address these issues is set for August 9, 2013, at 8:30 a.m. Appearances: Robert Johnson-AUSA and Abraham Moses Fisch-Pro Se Deft. (For this hearing).(Court Reporter: J. Sanchez) (Interpreter:No) Deft continued on Bond, filed.(leddins,) Modified on 7/8/2013 (leddins,). (Entered: 07/03/2013)
07/08/2013		***Set/Reset Hearings as to Abraham Moses Fisch: Miscellaneous Hearing set for 8/9/2013 at 08:30 AM at Courtroom 11B before Judge Lee H Rosenthal (leddins,) (Entered: 07/08/2013)

07/15/2013	<u>83</u>	MOTION for Extension of Time to File by Abraham Moses Fisch, filed. (Fisch, Abraham) (Entered: 07/15/2013)
07/15/2013	<u>84</u>	MOTION by Abraham Moses Fisch, filed. (Fisch, Abraham) (Entered: 07/15/2013)
07/16/2013	<u>85</u>	ORDER granting <u>83</u> Motion for Extension of Time to File as to Abraham Moses Fisch.(Signed by Judge Lee H Rosenthal.) Parties notified.(sbyrum,) (Entered: 07/16/2013)
07/16/2013	<u>86</u>	AO 435 TRANSCRIPT ORDER FORM by AUSA Robert Johnson. This is to order a transcript of Hearing Proceedings held on 6/27/13 before Judge Lee H Rosenthal (Original). Court Reporter/Transcriber: J Sanchez, filed. (Attachments: # <u>1</u> Advice of Obligation) (smurdock,) (Entered: 07/17/2013)
07/26/2013	<u>87</u>	Opposed MOTION Lifting of Lis Pendens by Abraham Moses Fisch, filed. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit)(Fisch, Abraham) (Entered: 07/26/2013)
07/29/2013	<u>88</u>	CLERKS NOTICE OF CANCELLATION as to Abraham Moses Fisch, Monica Bertman. Parties notified. The status conference set for 8/2/13 is canceled., filed.(leddins,) (Entered: 07/29/2013)
07/29/2013		**Terminate Deadlines and Hearings as to Abraham Moses Fisch, Monica Bertman: Status conference set for 8/2/13 is canceled pending the outcome of the hearing scheduled for 8/9/13. (leddins,) (Entered: 07/29/2013)
07/30/2013	 <u>89</u>	TRANSCRIPT as to Abraham Moses Fisch re: Pretrial Conference held on June 27, 2013 before Judge Lee H Rosenthal.Court Reporter J. Sanchez. Release of Transcript Restriction set for 10/28/2013., filed. (jsanchez,) (Entered: 07/30/2013)
08/01/2013	<u>90</u>	Notice of Filing of Official Transcript as to <u>89</u> Transcript. Party notified, filed. (jdav,) (Entered: 08/01/2013)
08/06/2013	<u>91</u>	NOTICE OF RESETTNG as to Abraham Moses Fisch. Miscellaneous Hearing reset for 8/12/2013 at 12:00 PM at Courtroom 11B before Judge Lee H Rosenthal, filed. (leddins,) (Entered: 08/06/2013)
08/07/2013	<u>92</u>	RESPONSE to Motion by USA as to Abraham Moses Fisch re <u>87</u> Opposed MOTION Lifting of Lis Pendens , filed.(Johnson, Robert) (Entered: 08/07/2013)
08/12/2013	96	Minute Entry for proceedings held before Judge Lee H Rosenthal: MISCELLANEOUS HEARING as to Abraham Moses Fisch held on 8/12/2013. Argument heard on them otion to left the Lis Pendens. Appearances: Robert Johnson-AUSA and Abraham Fisch-Pro Se Deft. (Court Reporter: B. Slavin) (Interpreter:No) Deft continued on Bond, filed.(leddins,) (Entered: 08/23/2013)
08/16/2013	<u>93</u>	PROPOSED ORDER as to Abraham Moses Fisch, filed.(Johnson, Robert) (Entered: 08/16/2013)

08/16/2013	<u>94</u>	Opposed MOTION by Abraham Moses Fisch, filed. (Fisch, Abraham) (Entered: 08/16/2013)
08/20/2013	<u>95</u>	PROPOSED ORDER as to Abraham Moses Fisch, filed. (Attachments: # <u>1</u> Proposed Order)(Fisch, Abraham) (Entered: 08/20/2013)
08/23/2013	<u>97</u>	ORDER entered as to Abraham Moses Fisch : by September 23, 2013, the defendant, Abraham Moses Fisch, must accurately file a sworn financial affidavit setting forth his financial information in sufficient detail that the court may accurately evaluate whether there are no assets other than those subject to forfeiture to pay the defendants legal defense and living expenses;by September 23, 2013, the defendant must file a document setting forth the grounds for asserting that the grand jury erred in determining that the restrained assets constitute or are derived from proceeds traceable to the commission of the charged offense. (Signed by Judge Lee H Rosenthal) Parties notified. (leddins,) (Entered: 08/23/2013)
08/27/2013	<u>98</u>	Opposed MOTION for Brady Materials , Opposed MOTION for Discovery by Abraham Moses Fisch, filed. (Fisch, Abraham) (Entered: 08/27/2013)
08/30/2013	<u>99</u>	NOTICE OF SETTING as to Abraham Moses Fisch. Miscellaneous Hearing set for 9/13/2013 at 11:00 AM at Courtroom 11B before Judge Lee H Rosenthal, filed. (leddins,) (Entered: 08/30/2013)
09/10/2013	<u>100</u>	US PRETRIAL SERVICES AGENCY MEMORANDUM as to Abraham Moses Fisch. Court does concur with pretrial recommendation. (Signed by Judge Lee H Rosenthal) Parties notified. (gkelner, 4) (Entered: 09/11/2013)
09/12/2013	<u>101</u>	RESPONSE to Motion by USA as to Abraham Moses Fisch re <u>98</u> Opposed MOTION for Brady Materials Opposed MOTION for Discovery , filed.(Johnson, Robert) (Entered: 09/12/2013)
09/13/2013	102	Minute entry for proceedings before the Hon. Lee H. Rosenthal. Hearing held on September 13, 2013. After hearing from both parties and for the reasons stated on the record, the court orders that Mr. Fisch's deadline to submit, in camera, documents complying with the court's order issued on August 23, 2013 (Docket Entry No. 97) be extended to September 27, 2013. There will be no extension Appearances: Robb Johnson-AUSA and Abraham Fisch-Pro Se Deft.(Court Reporter: F. Warner), filed. (leddins, 4) (Entered: 09/17/2013)
09/27/2013	103	IN CAMERA DOCUMENTS submitted for the Court's Review as to Abraham Moses Fisch per the Court's orders. Placed in Sealed Envelope and maintained in Chambers until further order of the Court(leddins, 4) (Entered: 09/27/2013)
10/24/2013	<u>105</u>	MEMORANDUM AND OPINION entered as to Abraham Moses Fisch : MOOTING <u>94</u> Opposed MOTION , DENYING <u>87</u> Opposed MOTION Lifting of Lis Pendens . (Signed by Judge Lee H Rosenthal) Parties notified. (leddins, 4) (Entered: 10/24/2013)

10/24/2013	106	Minute Entry for proceedings held before Judge Lee H Rosenthal: PRETRIAL CONFERENCE as to Abraham Moses Fisch, Monica Bertman held on 10/24/2013. The court heard argument on proceeding and how to handle the Pro Se issues as to Deft. Fisch. The parties will submit an order that addresses interviewing witnesses. An oral motion for continuance was granted in part. An amended scheduling and docket control order will be entered. Appearances: Robb Johnson-AUSA, Abraham Fisch-Pro Se Deft. and Paul Doyle for Deft. Bertman.(Court Reporter: K. Metzger) (Interpreter:No) Deft continued on Bond, filed. (leddins, 4) (Entered: 10/25/2013)
10/25/2013	107	ORDER TO CONTINUE entered in the Interest of Justice as to Abraham Moses Fisch, Monica Bertman. Deadlines are amended as follows: Dispositive Motion Filing due by 4/21/2014; Non-Dispositive Motion Filing due by 4/21/2014; Responses due by 5/5/2014; Interim Pretrial Conference set for 2/25/2014 at 09:00 AM; Final Pretrial Conference reset for 5/16/2014 at 09:00 AM and Jury Trial reset for 5/27/2014 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal.(Signed by Judge Lee H Rosenthal) Parties notified. (leddins, 4) (Entered: 10/25/2013)
11/04/2013	108	MOTION for Reconsideration by Abraham Moses Fisch, filed. (Attachments: # 1 Exhibit)(Fisch, Abraham) (Entered: 11/04/2013)
01/17/2014	109	Opposed MOTION to Continue by Abraham Moses Fisch, filed. (Fisch, Abraham) (Entered: 01/17/2014)
01/28/2014	110	MEMORANDUM AND ORDER entered as to Abraham Moses Fisch; DENYING 108 MOTION for Reconsideration , DENYING 109 Opposed MOTION to Continue . (Signed by Judge Lee H Rosenthal) Parties notified. (leddins, 4) (Entered: 01/28/2014)
02/18/2014	112	MOTION to Amend by Abraham Moses Fisch, filed. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(Fisch, Abraham) (Entered: 02/18/2014)
02/18/2014	113	Sealed Event, filed. (Entered: 02/19/2014)
02/21/2014	114	NOTICE OF RESETTING entered as to Abraham Moses Fisch, Monica Bertman. Interim Pretrial Conference reset for 2/25/2014 at 08:30 AM in Courtroom 11B before Judge Lee H Rosenthal. NOTE: THE RESET IS TO TIME ONLY. (leddins, 4) (Entered: 02/21/2014)
02/25/2014	115	Minute Entry for proceedings held before Judge Lee H Rosenthal: INTERIM PRETRIAL CONFERENCE as to Abraham Moses Fisch and Monica Bertman held on 2/25/2014. The court ordered defendant Abrham Fisch to refile the sealed documents in a more legible form by 2/27/14. The seal is lifted for the government to obtain a copy. The government will have till 3/7/14 to respond and the defendant can reply by 3/14/14. A hearing will be set on this motion. The government advised that it may need a continuance based on a trial setting in another court. The defendants are unopposed. The government will check on a continuance and advise if it will be granted. If not an order to continue will be entered resetting the trial deadline to August 2014. Appearances:

		Robert Johnson-AUSA, Abraham Moses Fisch-Pro Se Deft. and Paul Doyle for Deft. Bertman.(Court Reporter: B. Slavin) (Interpreter:No) Deft continued on Bond, filed.(leddins, 4) (Entered: 02/25/2014)
02/25/2014	<u>116</u>	ORDER TO CONTINUE entered in the Interest of Justice as to Abraham Moses Fisch, Monica Bertman : GRANTING The Government's oral request for a continuance. Deadlines amended as follows: Dispositive Motion Filing due by 4/21/2014; Non-Dispositive Motion Filing due by 4/21/2014; Responses due by 5/5/2014; Motion Hearing set for 4/8/14 at 10:30 a.m.; Interim Pretrial Conference set for 6/4/2014 at 09:00 AM; Final Pretrial Conference reset for 7/30/2014 at 09:00 AM; and Jury Trial reset for 8/4/2014 at 09:00 AM in Courtroom 11B before Judge Lee H Rosenthal.(Signed by Judge Lee H Rosenthal) Parties notified. (leddins, 4) (Main Document 116 replaced on 2/25/2014) (leddins, 4). (Entered: 02/25/2014)
02/25/2014		Set/Reset Deadlines re Motion or Report and Recommendation in case as to Abraham Moses Fisch <u>112</u> MOTION to Amend . Motion Hearing set for 4/8/2014 at 10:30 AM in Courtroom 11B before Judge Lee H Rosenthal. (leddins, 4) (Entered: 02/25/2014)
02/27/2014	<u>117</u>	MOTION by Abraham Moses Fisch, filed. (Fisch, Abraham) (Entered: 02/27/2014)
03/06/2014	<u>118</u>	RESPONSE to Motion by USA as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman re <u>117</u> MOTION , <u>112</u> MOTION to Amend , filed.(Johnson, Robert) (Entered: 03/06/2014)
03/18/2014	<u>119</u>	ORDER entered as to Abraham Moses Fisch: DENYING <u>112</u> MOTION to Amend , DENYING <u>117</u> MOTION . Fisch's prolonged failure to provide the necessary financial information means that this court cannot determine that he has established the threshold showing for a hearing on traceability. His objections are overruled and requests for reconsideration are denied. Fisch has until March 31, 2014 to file the information, complete and legible, for the court and government to review. Failure to do so will end this issue. (Signed by Judge Lee H Rosenthal) Parties notified. (leddins, 4) (Entered: 03/18/2014)
03/19/2014		Set/Reset Deadlines re Motion or Report and Recommendation in case as to Abraham Moses Fisch Motion Hearing set for 4/8/2014 at 10:30 AM in Courtroom 11B before Judge Lee H Rosenthal (leddins, 4) (Entered: 03/19/2014)
03/26/2014	<u>120</u>	NOTICE OF APPEAL to US Court of Appeals by Abraham Moses Fisch as to Abraham Moses Fisch, Lloyd Glen Williams, Monica Bertman re <u>105</u> Memorandum Opinion, <u>110</u> Memorandum and Order, <u>119</u> Order,, (Filing fee \$ 505, receipt number 0541-12930500.),filed. (Criswell, Regina) (Entered: 03/26/2014)
04/07/2014	<u>121</u>	MOTION to Stay by Abraham Moses Fisch, filed. (Fisch, Abraham) (Entered: 04/07/2014)